APPROVED MINUTES OF MEETING 1 CALIFORNIA LAW REVISION COMMISSION 2 September 10, 2020 3 A meeting of the California Law Revision Commission was held on 4 September 10, 2020. Consistent with Executive Orders N-25-20 and N-29-20, the 5 6 meeting was held as an online video webinar. Only those members of the public who expressly consented to inclusion in 7 the Minutes are listed as attendees. 8 9 **Commission:** Present: Crystal Miller-O'Brien, Chairperson 10 Richard Simpson, Vice-Chairperson 11 Diane Boyer-Vine, Legislative Counsel 12 David A. Carrillo 13 Ana Cubas 14 Victor King 15 Jane McAllister 16 Richard Rubin 17 Absent: Assembly Member Ed Chau 18 Senator Richard D. Roth 19 Staff: Brian Hebert, Executive Director 20 Barbara Gaal, Chief Deputy Director 21 Kristin Burford, Staff Counsel 22 **Other Persons:** 23 Michael Amster 24 Tom Freeley, California Association of Community Managers 25 Marjorie Murray, Center for California Homeowner Association Law 26 Elaine Roberts Musser 27 Steve Linke 28 29 Aniko Sherry 30 Ann Stanaway Tom Surh, Center for California Homeowner Association Law 31

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APPROVAL OF ACTIONS TAKEN

Unless otherwise indicated, the Commission decisions noted in these Minutes were approved by all members present at the meeting. If a member who was present at the meeting voted against a particular decision, abstained from voting, or was not present when the decision was made, that fact will be noted below.

6 MINUTES

The Commission considered Memorandum 2020-42 and its First Supplement, presenting draft Minutes for the August 13, 2020, meeting.

The Commission approved the Minutes, with the revision set out in the First Supplement.

(Commissioner Miller-O'Brien was not present when this decision was made.)

ADMINISTRATIVE MATTERS

Report of Executive Director

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On the occasion of her pending retirement as California's Legislative Counsel, the Executive Director recognized Diane Boyer Vine for over 18 years of service as a member of the Law Revision Commission. He conveyed the staff's best wishes, admiration, and gratitude. The Commission shared the same sentiments.

Commissioner Suggestions

No suggestions were made.

1	Election of Officers
2	The Commission considered Memorandum 2020-41, discussing the election of
3	officers for 2020-21. The Commission elected Crystal Miller-O'Brien to serve as
4	Chair and Richard Simpson to serve as Vice-Chair.
5	(Commissioner Miller-O'Brien abstained.)
6	2020 Legislative Program
7	The Commission considered Memorandum 2020-43, which discusses the
8	Commission's 2020 Legislative Program.
9	No Commission decisions were required or made.
10	STUDY E-200 — RECODIFICATION OF TOXIC SUBSTANCE STATUTES
11	The Commission considered Memorandum 2020-47, discussing public
12	comment on a tentative recommendation on the Hazardous Substance Account
13	Recodification Act.
14	No Commission decisions were required or made.
15	STUDY EM-560 — EMINENT DOMAIN: PRE-CONDEMNATION ACTIVITIES
16	The Commission considered Memorandum 2020-44, presenting a draft of a
17	final recommendation relating to the statutory procedure for compensating a
18	property owner for pre-condemnation harm pursuant to Code of Civil Procedure
19	Section 1245.060.
20	The Commission approved the draft as a final recommendation, for
21	publication and distribution to the Legislature and Governor.
22	(Commissioner Miller-O'Brien abstained.)
23	STUDY G-300 — STATE AND LOCAL AGENCY ACCESS TO CUSTOMER INFORMATION
24	FROM COMMUNICATION SERVICE PROVIDERS

The Commission considered Memorandum 2020-36, which discusses the

meaning of "interception," as that term is used in the federal and state wiretap

statutes. The Commission decided against conducting a study of the topic.

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1 STUDY J-1406 — STATUTES MADE OBSOLETE BY TRIAL COURT RESTRUCTURING (PART 6): REGIONAL JUSTICE FACILITIES ACTS 2 The Commission considered Memorandum 2020-45, which presents a draft 3 recommendation on Trial Court Restructuring Clean-Up: Regional Justice Facilities 4 Acts. The Commission approved that draft as a final recommendation, for 5 publication and submission to the Legislature and the Governor. 6 7 STUDY X-100 — EMERGENCY-RELATED REFORMS 8 The Commission considered Memorandum 2020-48 and its First Supplement, 9 Memorandum 2020-49 and its First and Second Supplements, and Memorandum 2020-50, discussing possible emergency-related reforms of common interest 10 11 development law. 12 **Teleconference Meetings in Common Interest Developments** Memorandum 2020-48 presented a draft tentative recommendation on the use 13 14 of teleconferencing in common interest developments during a declared 15 emergency. The Commission approved the draft as a tentative recommendation, for 16 17 public distribution, with one change. The draft Comment language on page 2 of the First Supplement to Memorandum 2020-48 was added. 18 **Electronic Elections** 19 20 Memorandum 2020-50 presented public comment suggesting that the Commission study the possibility of a common interest development using 21 22 electronic voting to conduct an election during a declared emergency. The

Commission decided against doing so.

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